

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS," BY CREATING A NEW SUBSECTION (S), TO BE ENTITLED "HIGH IMPACT PERIOD PARKING RATES," WHICH AUTHORIZES THE CITY MANAGER TO ACTIVATE A TEMPORARY PARKING RATE INCREASE DURING HIGH IMPACT PERIODS; AND BY AMENDING SUBSECTION (I), ENTITLED "EXCEPTIONS," BY CLARIFYING THE APPLICABILITY OF THE RESIDENT DISCOUNT PARKING RATE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, due to its domestic and international popularity as a resort destination, many large-scale events, both authorized by City permits and otherwise, occur on City property and/or on the City's beaches; and

WHEREAS, the City has seen an increasingly large number of visitors during these events, and the sizeable number of individuals in the City during these periods of time has posed numerous challenges for the City; and

WHEREAS, among those challenges, the City experiences increased traffic congestion, and the availability of parking is diminished during such high impact events or periods; and

WHEREAS, the City Manager is presently authorized to impose certain immediate measures upon determining that a high impact period will occur, or is in progress; and

WHEREAS, registered City of Miami Beach residents shall continue to receive a discounted parking rate at City parking meters, and municipal parking garages and parking lots; and

WHEREAS, this item was presented at the City Commission Budget Workshop on May 21, 2019 and presented, discussed, and approved at the July 26, 2019 Finance and Economic Resiliency Committee (then the Finance and Citywide Projects Committee) Budget Briefings; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 106, "Traffic and Vehicles," Article II, "Metered Parking," Division 1, "Generally," Section 106-55, "Parking Rates, Fees, and Penalties," of the Code of the City of Miami Beach, Florida, is hereby amended as follows and additional sections that are not amended are provided for reference purposes:

CHAPTER 106. TRAFFIC AND VEHICLES

* * *

ARTICLE II. METERED PARKING

DIVISION 1. GENERALLY

* * *

Sec. 106-55. Parking rates, fees, and penalties; exceptions.

* * *

(l) *Exceptions.*

- (1) *Flat parking rate.* A flat rate for nonresidents and for residents of the city (photo identification required) may be established during the city's annual budget process, as recommended by the city manager and approved by the city commission, at certain attended municipal garages and surface lots which have been identified by the city manager to be in the best interest of the community's health, safety, and welfare.
- (2) *Parking incentive program.* The city manager is authorized to designate "resident parking days" (evenings 6:00 p.m. to 12:00 midnight) for city residents (proof of residency required) at all attended garages and lots and residential decal holders at on-street meters and/or off-street metered facilities and identify an incentive to be combined with specific initiatives sponsored and/or promoted by the city to stimulate local businesses during off-peak periods.
- (3) ~~*Mobile phone payment service*~~ *Resident discount.* ~~This service affords~~ Notwithstanding any other provision in this section, registered Miami Beach city residents, with proof of residency, shall receive a discounted hourly rate of \$1.00 at on-street metersed parking, and off-street meters municipal parking garages and parking lots.

* * *

- (s) *High impact period parking rates.* Upon the city manager's determination that, pursuant to section 82-443, a high impact period will occur, or is in progress, the city manager shall be authorized to activate, for the duration of any such high impact period, a temporary parking rate increase throughout the city, or any portion(s) thereof, as follows:
- a. Parking meter rates: up to a 100% increase to those hourly rates set forth herein.
 - b. Municipal parking garages and parking lots: up to a \$30.00 flat rate for 6 hours and \$5.00 per hour, or any portion thereof, for any additional hours, not to exceed a maximum rate of \$50.00 for 24 hours.

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SECTION 2. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and, the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten (10) days following adoption.

PASSED and ADOPTED this ____ day of _____, 2021.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

First Reading: March 17, 2021

Second Reading: April 21, 2021

(Sponsored by Commissioner David Richardson)

Underline denotes new language

~~Strike through~~ denotes deletions

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

03/03/2021
Date